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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,088	12/21/2001	Matthew B. Shoemake	TI-32511	8282
23494	7590	09/28/2005	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			TON, DANG T	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 18 lines 1-2, "wherein the selecting, determining, evaluating, adjusting, and repeating steps" has no antecedent basis. Also, it is not clear the function of those steps.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tiedemann et al. 5,987,326.

For claim 17, Tiedemann et al. disclose a method comprising the steps of estimating an expected packet error rate based upon a signal-to-noise ratio of a channel (see first threshold in box 104 of figure 3); evaluating an actual packet error rate from the actual transmissions of packets over the channel (see box 102 in figure 3 and column 4 lines 50-54) ; and comparing the actual packet error rate to the expected packet error rate (see box 104 in figure 3); wherein the selecting, determining, evaluating adjusting, and repeating steps are

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performed responsive to the result of the comparing step(see yes or no outputting from box 104 of figure 3).

3. Claims 1-16 are allowed.

For claims 1-16, the prior art fails to teach a combination of the steps of:
determining a packet success rate for the trial packet length value;
evaluating a rate measure value for the trial packet length value, based
upon the packet success rate for the trial packet length value;
adjusting the trial packet length value responsive to a difference the
rate measure value for the trial packet length value from a prior rate measure value for a
prior trial packet length value; and
repeating the selecting determining, evaluate, and adjusting steps
a convergence criterion is reached.

4. Claim 18 would be allowable if rewritten to overcome the rejection(s) under 35
U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the
limitations of the base claim and any intervening claims.

5. The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

Lin et al. (US2004/0202242) is cited to show a system which is considered
pertinent to the claimed invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANG T. TON whose telephone number is 571-272-3171. The examiner can normally be reached on MON-WED, 5:30 AM-6:00 PM and Thur 5:30-9:30 A.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. Ton



DANG TON
PRIMARY EXAMINER